

**FILED**

SEP 8 2014

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *C. J.* DEPUTY

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

FLOYD LYNTELLIS GARRETT,

Defendant.

Case No. 95CR1149-H

ORDER REGARDING  
REVOCATION OF  
SUPERVISED RELEASE

On April 30, 2014, the Court issued a bench warrant for defendant Floyd Lyntellis Garrett, based upon a finding of probable cause, to bring the defendant before the Court to show cause why supervised release should not be revoked based on the allegations in the probation officer's petition for a warrant. (Doc. Nos. 163 and 164.) The Court also appointed attorney Mary Franklin to represent defendant Garrett. (Doc. No. 162.)

On August 20, 2014, the Court issued an order recalling the bench warrant after the U.S. Marshal's Office informed the Court that Defendant Garrett attempted to enter the courthouse to meet with Court. (Doc. No. 165.) The Court also scheduled a hearing for August 25, 2014 at 2:00 P.M. to address defendant Garrett's terms and conditions of supervised release. Id. Furthermore, the Court reserved the right to re-issue the bench warrant. Id.

On August 25, 2014, defendant Garrett failed to appear for the revocation of supervised release hearing. (Doc. No. 168.) The Court directed defense counsel to make efforts to telephonically contact defendant Garrett through his father and

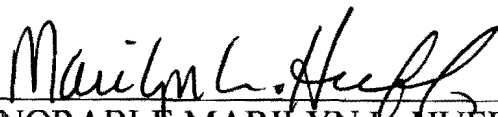
1 continued the revocation of supervised release hearing to September 8, 2014. Id.

2 On September 8, 2014, defendant Garrett failed to appear for the revocation of  
3 supervised release hearing. (Doc. No. 170.) The Court directed defense counsel to  
4 write and mail a letter to defendant Garrett's father, explaining that the Court intends  
5 to allow defendant Garrett to reside with his father, that the bench warrant will remain  
6 recalled for a period of 30 days, and that the defendant need only to appear at the  
7 hearing to address issues regarding supervised release conditions. Accordingly, the  
8 Court continued the revocation of supervised release hearing to October 14, 2014 at  
9 2:00 P.M. Id.

10 The Court directs defense counsel to mail a copy of this order to defendant  
11 Garrett's father. The Court continues to reserve the right to re-issue the bench should  
12 defendant Garrett fail to appear on October 14, 2014 for the revocation of supervised  
13 release hearing.

14 IT IS SO ORDERED.

15 DATED: 9/8/14

  
HONORABLE MARILYN L. HUFF  
UNITED STATES DISTRICT JUDGE